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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/792,312	03/03/2004	Peggy Hasan	LUTZ 2 00291	4356

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EXAMINER

YOUNG, JANELLE N

ART UNIT	PAPER NUMBER
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2618

DATE MAILED: 10/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/792,312	Applicant(s) HASAN ET AL.	
	Examiner Janelle N. Young	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Mazzara et al. (US Patent 2004/0012501).

As for claim 1, Mazzara et al. teaches a system for allowing a user to initiate a process for performing vehicle functions on a vehicle through a telematic communication units (TCU's), include devices such as cellular phones; which reads on claimed mobile communication device, the system comprising:

a automated speech recognition (ASR) units (Fig. 1:157); which reads on claimed recognition module operative, to recognize a request to initiate the process for performing the vehicle functions from the mobile communication device (Page 2, Para 0012; Page 3, Para 0025 & 0027-0028; and Page 4, Para 0030 & 0034);

an authentication module operative to authenticate that the user is valid and determine vehicles upon which the mobile communication device may

initiate the vehicle functions (Page 2, Para 0028; Page 4, Para 0036 & 0039; and Page 5, Para 0046);

a query module operative to query the user through the mobile communication device as to which of the vehicle functions is to be performed (Page 1, Para 0016; Page 2, Para 0026-0028; Page 4, Para 0035; and Page 5, Para 0047);

and a communication module operative to transmit command signals to the vehicle to perform a selected vehicle function based on results of the query (Page 2, Para 0017 & 0026-0028 and Page 4, Para 0035).

As for claim 2, Mazzara et al. teaches a system for allowing a user to initiate a process for performing vehicle functions on a vehicle through a telematic communication units (TCU's), include devices such as cellular phones; which reads on claimed mobile communication device, wherein the request comprises an activation code (Page 1, Para 0001 & 0008-0011 and Page 2, Para 0015 & 0028).

As for claim 3, Mazzara et al. teaches a system for allowing a user to initiate a process for performing vehicle functions on a vehicle through a telematic communication units (TCU's), include devices such as cellular phones; which reads on claimed mobile communication device, wherein the authentication module is operative to access mobile identification numbers (MINs) and vehicle identification numbers (VINs) stored in a subscriber database (Page 4, Para 0036-0039 and Page 5, Para 0045, 0047, & 0049-0051).

As for claim 4, Mazzara et al. teaches a system for allowing a user to initiate a process for performing vehicle functions on a vehicle through a telematic communication units (TCU's), include devices such as cellular phones; which reads on claimed mobile communication device, wherein the vehicle functions comprise at least one of locking doors on the vehicle, unlocking doors on the vehicle, and starting the vehicle (Page 3, Para 0026-0027).

As for claim 5, Mazzara et al. teaches a system for allowing a user to initiate a process for performing vehicle functions on a vehicle through a telematic communication units (TCU's), include devices such as cellular phones; which reads on claimed mobile communication device, further comprising a receiver disposed within the vehicle operative to receive the command signals from the communication module (Page 1, Para 0001; 0008-0011; Page 2, Para 0016-0017; Page 3, Para 0022-0023; Page 4, Para 0039; and Page 5, Para 0047).

As for claim 6, Mazzara et al. teaches a system for allowing a user to initiate a process for performing vehicle functions on a vehicle through a telematic communication units (TCU's), include devices such as cellular phones; which reads on claimed mobile communication device, further comprising a control module disposed within the vehicle operative to initiate the selected function based on the command signals received by the receiver (Page 2, Para 0015 & 0019 and Page 3, Para 0023-0028).

As for claim 7, Mazzara et al. teaches a system for allowing a user to initiate a process for performing vehicle functions on a vehicle through a telematic

communication units (TCU's), include devices such as cellular phones; which reads on claimed mobile communication device, further comprising a transceiver disposed within the vehicle operative to receive the command signals from the communication module and transmit signals back to the communication module (Page 1, Para 0002 & 0015-0017 and Page 3, Para 0022 & 0024-0225).

As for claim 8, Mazzara et al. teaches a system for allowing a user to initiate a process for performing vehicle functions on a vehicle through a telematic communication units (TCU's), include devices such as cellular phones; which reads on claimed mobile communication device, further comprising a control module disposed within the vehicle operative to initiate the selected function based on the command signals received by the transceiver (Fig. 3; Page 1, Para 0009-0011 & 0019; Page 2, Para 0016; Page 3, Para 0028; and Page 4, Para 0035).

As for claim 9, Mazzara et al. teaches a system for allowing a user to initiate a process for performing vehicle functions on a vehicle through a telematic communication units (TCU's), include devices such as cellular phones; which reads on claimed mobile communication device, further comprising a second communication module operative to provide information to the transceiver to transmit the signals (Page 2, Para 0017 & 0020).

Regarding claim 10, see explanation as set forth regarding claim 1 (system claim) because the claimed method for allowing a user to initiate a process for performing vehicle functions on a vehicle through a mobile communication device would perform the system steps.

Regarding claim 11, see explanation as set forth regarding claim 2 (system claim) because the claimed method for allowing a user to initiate a process for performing vehicle functions on a vehicle through a mobile communication device would perform the system steps.

As for claim 12, Mazzara et al. teaches a method for allowing a user to initiate a process for performing vehicle functions on a vehicle through a telematic communication units (TCU's), include devices such as cellular phones; which reads on claimed mobile communication device, wherein authenticating that the user is valid comprises accessing a subscriber database (Page 5, Para 0046-0048).

Regarding claim 13, see explanation as set forth regarding claim 3 (system claim) because the claimed method for allowing a user to initiate a process for performing vehicle functions on a vehicle through a mobile communication device would perform the system steps.

Regarding claim 14, see explanation as set forth regarding claim 4 (system claim) because the claimed method for allowing a user to initiate a process for performing vehicle functions on a vehicle through a mobile communication device would perform the system steps.

Regarding claim 15, see explanation as set forth regarding claim 5 (system claim) because the claimed method for allowing a user to initiate a process for performing vehicle functions on a vehicle through a mobile communication device would perform the system steps.

Regarding claim 16, see explanation as set forth regarding claim 6 (system claim) because the claimed method for allowing a user to initiate a process for performing vehicle functions on a vehicle through a mobile communication device would perform the system steps.

Regarding claims 17 & 19, see explanation as set forth regarding claim 7 (system claim) because the claimed method for allowing a user to initiate a process for performing vehicle functions on a vehicle through a mobile communication device would perform the system steps.

Regarding claim 18, see explanation as set forth regarding claim 8 (system claim) because the claimed method for allowing a user to initiate a process for performing vehicle functions on a vehicle through a mobile communication device would perform the system steps.

Regarding claim 20, see explanation as set forth regarding claim 1 (system claim) because the claimed system with means for allowing a user to initiate a process for performing vehicle functions on a vehicle through a mobile communication device would perform the system steps.

Regarding claims 21 & 23, see explanation as set forth regarding claim 5 (system claim) because the claimed system with means for allowing a user to initiate a process for performing vehicle functions on a vehicle through a mobile communication device would perform the system steps.

Regarding claims 22 & 24, see explanation as set forth regarding claim 6 (system claim) because the claimed system with means for allowing a user to initiate a process

for performing vehicle functions on a vehicle through a mobile communication device would perform the system steps.

Regarding claim 25, see explanation as set forth regarding claim 7 (system claim) because the claimed system with means for allowing a user to initiate a process for performing vehicle functions on a vehicle through a mobile communication device would perform the system steps.

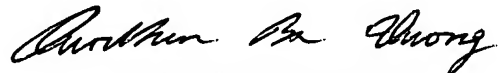
Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janelle N. Young whose telephone number is (571) 272-2836. The examiner can normally be reached on Monday through Friday: 8:30 am through 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on (571) 272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JNY
September 25, 2006

 9/29/06
QUOCHIEN B. VUONG
PRIMARY EXAMINER